IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 26899 of 2004(B)

PETITIONER:
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1. WINNY A.X., ASSISTANT MANAGER
(MARKETING) HIGHER GRADE, MILMA,
ERNAKULAM DAIRY, TRIPUNITHURA.

2. THOMAS ABRAHAM,
MARKETING OFFICER, HIGHER GRADE,
MILMA, ERNAKULAM DAIRY,
TRIPUNITHURA.

BY ADV. SRI.S.RAMESH BABU

RESPONDENTS:
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1. ERNAKULAM REGIONAL CO-OPERATIVE
MILK PRODUCERS UNION LTD. (MILMA)
REPRESENTED BY ITS MANAGING DIRECTOR,
HEAD OFFICE, EDAPPALLY.

2. THE DIRECTOR FOF DAIRY DEVELOPMENT
(REGISTRAR), PATTOM, THIRUVANANTHAPURAM.

3. SRI.K.R.JAYARAJAN, MANAGER,
(PROCUREMENT AND INPUT) CURRENTLY POSTED AS
MANAGER (MARKETING) HEAD OFFICE,
ERCMPU LTD., EDAPPALLY.

BY ADV. SRI.B.S.KRISHNAN(SR.), SC, MILMA
SRI.K.ANAND (A.201)
SMT.LATHA KRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE GOVT.ORDER DT. 3.3.1997 TOGETHER WITH THE APPROVED STAFF PATTERN.

EXT.P2 : TRUE COPY OF THE PROMOTION POLICY.

EXT.P3 : TRUE COPY OF THE RELEVANT EXTRACT OF THE BYE-LAWS.

EXT.P4 : TRUE COPY OF THE MINUTES OF THE REVIEW MEETING HELD ON 4.1.2002.

EXT.P5 : TRUE COPY OF THE COMMUNICATION DT. 30.7.2004.

EXT.P6 TRUE COPY OF THE REPRESENTATION DT. 7.8.2004.

EXT.P7 TRUE COPY OF THE REPRESENTATION DT. 10.8.2004.

TGS

KURIAN JOSEPH, J.

W.P.(C) No.26899 of 2004

Dated 30th March, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "Issue a writ of mandamus commanding the first respondent to fill up the post of Manager (Marketing) strictly in accordance with Exts.P1 to P3 and by effecting promotion to the said post from among eligible and experienced Assistant Managers (Marketing)"

It is seen that the petitioners have approached the second respondent as per Exts.P6 and P7. There will be a direction to the second respondent to look into Exts.P6 and P7 and take appropriate action in accordance with law in the matter of promotion, within a period of three months from the date of production of a copy of the judgment.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 30th March, 2007.